

KEITH A. CALL (6708)
SPENCER FANE LLP
10 Exchange Place, Suite 1100
Post Office Box 45000
Salt Lake City, Utah 84145
Telephone: (801) 521-9000
kacall@spencerfane.com

TROY RACKHAM (Pro Hac Vice Motion Forthcoming)
SPENCER FANE LLP
1700 Lincoln Street, Suite 2000
Denver, CO 80203
Telephone: (303) 839-3860
trackham@spencerfane.com

Attorneys for Defendants Messner Reeves LLP, Kate Bailey, Alex Beltz, Valerie Bromley, Laura Chartrand, Issac Crum, Erica Deatherage, Allison Dodd, R.J. Ertmer, Rachel Farr, Mary Byrne Fletcher, Austin Gemmel, Matthew George, Margaret Gray, Scott Hawranek, Michelle Harden, Amy Huff, Matt Jedrzejek, Maclain Joyce, Idin Kashefpour, Dara Keller, Steven Knauss, Marjorie E. Kratsas, Jason Martinez, Bryant Messner, Caleb Meyer, Ian Mitchell, Simone Montoya, Bruce Montoya, Katherine Otto, Jonathan Owens, Julian Pardo de Zela, Peter Pierce, Adam Royval, Heather Salg, Edwin Schwartz, Gregory Sitrick, Rowan Smith, John Stevens, Deanne Stoddon, Matthew Sullivan, Benjamin Tietgen, Jenny Thornton, Andrew Welch, Torben Welch, Douglas Wolanske and Jake Brigham.

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

KOSHER EATS LLC, a Florida limited liability company, EMERALD CONSULTING PARTNERS LLC, a Florida limited liability company, ABBSON LLC, a New York limited liability company, MSC COMPANIES, LLC, a Utah limited liability company, and HOMEPEOPLE CORPORATION, a New York corporation,

Plaintiffs,

v.

TORBEN WELCH, an individual, CALEB MEYER, an individual, MICHELLE

**STIPULATED MOTION FOR
EXTENSION OF TIME FOR MESSNER
REEVES DEFENDANTS TO RESPOND
TO THE COMPLAINT**

Case No. 2:24-cv-00520-DBP

Magistrate Judge Dustin B. Pead

HARDEN, an individual, RENNE FINCH, an individual, DAVID REEVES, an individual, BENJAMIN TIETGEN, an individual, DARREN ALBERTI, an individual, KATE BAILEY, an individual, BRENDA BARTELS, an individual, ALEX BELTZ, an individual, AMBER BLASINGAME, an individual, BRETT BOON, an individual, VALERIE BROMLEY, an individual, EDGAR CARRANZA, an individual, KATHLEEN CARTER, an individual, CYNTHIA CARUCCI, an individual, CHARLES CAVANAGH, an individual, LAURA CHARTRAND, an individual, GREGORY COHEN, an individual, KIMBERLEY CRONIN, an individual, ISAAC CRUM, an individual, ERICA DEATHERAGE, an individual, MATTHEW DEENIHAN, an individual, ALLISON DODD, an individual, BRIEANNA DOLMAGE, an individual, PATRICK DRAKE, an individual, R.J. ERTMER, an individual, RACHEL FARR, an individual, MARY BRYNE FLETCHER, an individual, AUSTIN GEMMELL, an individual, MATTHEW GEORGE, an individual, DEANNA GILBERTSON, an individual, MARGARET GRAY, an individual, SCOTT HAWRANEK, an individual, ANDREW HOLLINS, an individual, AMY HUFF, an individual, CRAIG HUMPHREY, an individual, MATT JEDRZEJEK, an individual, MACLAINE JOYCE, an individual, IDIN KASHEFIPOUR, an individual, DARA KELLER, an individual, DANIEL KLETT, an individual, STEVEN KNAUSS, an individual, MARJORIE KRATSAS, an individual, JASON MARTINEZ, an individual, BRYANT MESSNER, an individual, IAN MITCHELL, an individual, SCOTT MONROE, an individual, SIMONE MONTOYA, an individual, BRUCE MONTOYA, an individual, KATHLEEN MOWRY, an individual, CHRISTINA

MUNDY, an individual, ANN NGUYEN, an individual, KATHERINE OTTO, an individual, JONATHAN OWENS, an individual, JULIAN PARDO DE ZELA, an individual, FRANK PERRETTA, an individual, PETER PIERCE, an individual, WILLIAM RANDALL, an individual, RICHARD REICE, an individual, ADAM ROYVAL, an individual, HEATHER SALG, an individual, EDWIN SCHWARTZ, an individual, MIKHAIL SHAH, an individual, GREG SITRICK, an individual, ROWAN SMITH, an individual, AARON SOLEIMANI, an individual, HEATHER STERN, an individual, JOHN STEVENS, an individual, DEANNE STODDEN, an individual, MATTHEW SULLIVAN, an individual, JENNY THORNTON, an individual, WADE WARTHEN, an individual, ANDREW WELCH, KARIE WILSON, an individual, DOUGLAS WOLANSKE, an individual, JON ZIMMERMAN, an individual, JAKE BRIGHAM, an individual, and MESSNER REEVES LLP, a Colorado partnership,

Defendants.

Pursuant to Federal Rule of Civil Procedure 6(b), the Messner Reeves Defendants (specifically Messner Reeves LLP, Kate Bailey, Alex Beltz, Valerie Bromley, Laura Chartrand, Issac Crum, Erica Deatherage, Allison Dodd, R.J. Ertmer, Rachel Farr, Mary Byrne Fletcher, Austin Gemmel, Matthew George, Margaret Gray, Scott Hawranek, Michelle Harden, Amy Huff, Matt Jedrzejek, Maclain Joyce, Idin Kashefipour, Dara Keller, Steven Knauss, Marjorie E. Kratsas, Jason Martinez, Bryant Messner, Caleb Meyer, Ian Mitchell, Simone Montoya, Bruce Montoya, Katherine Otto, Jonathan Owens, Julian Pardo de Zela, Peter Pierce, Adam Royval, Heather Salg, Edwin Schwartz, Gregory Sitrick, Rowan Smith, John Stevens, Deanne Stodden, Matthew Sullivan, Benjamin Tietgen, Jenny Thornton, Andrew Welch, Torben Welch, Douglas Wolanske

and Jake Brigham) file this Stipulated Motion for an Extension of Time to Respond to the Complaint.¹

A portion of the Messner Reeves Defendants were served with the Complaint as early as July 30, 2024, or on various dates thereafter, making the initial deadline for some of the Messner Reeves Defendants to respond by August 20, 2024. The Messner Reeves Defendants have requested, and the Plaintiffs have agreed, that the Messner Reeves Defendants' time to answer or otherwise respond to the Complaint be extended until September 20, 2024.

There is a good cause for the extension because: (1) Plaintiffs sued the law firm Messner Reeves, LLP and 78 individual Defendants who are partners or former partners of Messner Reeves, LLP and one former associate at the firm; (2) the individual Defendants identified here were served at various times between July 30, 2024 and August 16, 2024; (3) counsel is still attempting to determine whether the other individual Defendants named (approximately 34 individuals) consent to undersigned counsel's representation of them; (4) the allegations contained in the Plaintiffs' complaint and jury demand are vast and require a significant amount of time to evaluate and discuss with the 78 individual Defendants; and (5) Defendants' counsel was recently retained and needs additional time to communicate with the Defendants and analyze and respond to the Complaint.

In exchange for the Plaintiffs' agreement to stipulate to this extension, undersigned Defense counsel agreed to waive any objection to process or service of process under Federal Rules of Civil Procedure 12(b)(4) and (5).

¹ The other named individual Defendants either have not been served or have not so far consented to undersigned's representation of them.

Accordingly, the Messner Reeves Defendants respectfully request that the Court extend the time for them to answer or otherwise respond to the Complaint until September 20, 2024.

DATED this 20th day of August, 2024.

SPENCER FANE LLP

/s/ Keith A. Call _____

Keith A. Call
Troy Rackham
Attorneys for Messner Reeves Defendants

CHRISTIANSEN LAW, PLLC

/s/ Stephen K. Christiansen _____

Stephen K. Christiansen
Attorneys for Plaintiffs
(signature added by counsel for Messner Reeves
Defendants with permission granted via email on 8/20/24)

CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2024, I caused a true and correct copy of the foregoing **STIPULATED MOTION FOR EXTENSION OF TIME FOR MESSNER REEVES DEFENDANTS TO RESPOND TO THE COMPLAINT** to be electronically filed via the court's CM/ECF system, which will send notification to the following:

Stephen K. Christiansen
CHRISTIANSEN LAW, PLLC
311 South State Street, Ste. 250
Salt Lake City, Utah 84111
steve@skclawfirm.com
Attorneys for Plaintiffs

Kenneth E. Chase (Admitted Pro Hac Vice)
CHASE LAW & ASSOCIATES, P.A.
2700 N. Military Trail, Suite 150
Boca Raton, FL 33431
kchase@chaselaw.com
Attorneys for Plaintiffs

Howard W. Foster (Admitted Pro Hac Vice)
FOSTER PC
155 N. Wacker Drive, Suite 4250
Chicago, IL 60606
hfoster@fosterpc.com
Attorneys for Plaintiffs

/s/ Stephanie Chavez
Legal Assistant